

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

MICHAEL MULLEN,)	
)	
Plaintiff,)	Case No. 3:17-cv-01059
)	JUDGE ALETA A. TRAUGHER
v.)	
)	
CITY OF LA VERGNE, TENNESSEE)	
)	
Defendant.)	

**DEFENDANT'S MOTION FOR PERMISSION TO FILE MOTION FOR
PARTIAL SUMMARY JUDGMENT**

Defendant, City of La Vergne, Tennessee (the “City”), by and through counsel, hereby moves this Court for an order allowing the filing of a motion for partial summary judgment.

The City contends that it is in the best interest of all parties that this Court consider a motion for partial summary judgment based solely on the fact that the majority of the claims set forth against the City are barred by the applicable statutes of limitation. The determination of a motion for partial summary judgment will result in this Court determining whether certain claims go forward. If this Court grants the City’s motion, all claims pending against it, except for the due process claims, will be dismissed. Proceeding with litigation of this matter before determining whether certain claims go forward will lead to conducting unnecessary discovery and the taking of discovery on issues that are not relevant. As a result, this Court should consider a motion for partial summary judgment to alleviate the potential for unnecessary

expenditures of time and money by the parties and/or avoid potential embarrassment to the parties or witnesses.

Therefore, the City respectfully requests this Honorable Court enter an order allowing the City to file a motion for partial summary judgment.

Respectfully submitted,

/s/ Teresa Reall Ricks

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this the 4th day of October, 2017, a true and correct copy of the foregoing has been forwarded via the Court's electronic notification system to:

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/s/ Teresa Reall Ricks

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